

## **REMARKS**

### **Claim Rejections - 35 U.S.C. § 102**

The Examiner has rejected claims 26-28 under 35 USC 102(e) as being anticipated by Shimomura (U.S. Patent No. 6,352,920). The Applicant respectfully traverses. Shimomura fails to teach all of the claimed elements of the Applicant's invention. In particular, Shimomura fails to teach the element of independent claim 26 of "the bulk metal layer comprising a second hardness matching that of the first hardness of the patterned dielectric layer." Shimomura teaches forming a second conductive layer 17, which may be a copper alloy with beryllium, formed over a SiO<sub>2</sub> film 11 (Col. 5 lines 9 – 24.) In no part of U.S. Patent No. 6,352,920 does Shimomura teach that the second conductive layer 17 has a hardness matching that of the SiO<sub>2</sub> film 11. Therefore, the Applicant respectfully submits that the independent claim 26 and the claims that depend upon and incorporate the limitations of claim 26 are not anticipated or rendered obvious by Shimomura.

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If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,

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